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Judge Rules Parental Notification OK for Ballot

TALLAHASSEE – 8/18/04 -- A trial judge Tuesday agreed with House Speaker Johnnie Byrd and refused to remove a proposed constitutional amendment from the November ballot that would require underage girls to notify their parents if they are seeking an abortion.

Planned Parenthood and the American Civil Liberties Union had taken legal steps to try to block the amendment it by saying the ballot summary was misleading. But Circuit Judge Jonathan Sjostrom dismissed the complaints

"The proposed ballot title and summary adequately inform that the amendment expands legislative power and adequately describes the nature and extent of that expansion," Sjostrom wrote.

Byrd agreed. "It was simply a legal ploy to keep the measure off the ballot, it had nothing to do with the merits of the issue," Byrd said. "Fortunately, the judge saw through their smoke and mirrors and agreed that Floridians should decide this issue at the ballot box."

The Florida Supreme Court last year ruled that laws requiring parental consent in teen abortions violate the privacy rights guaranteed in the Florida Constitution.

George Waas, a state lawyer representing Secretary of State Glenda Hood, asserted to the judge that the ballot summary was clear and should not be blocked.

Byrd made passing the parental notification law one of the priorities of his last year as Speaker of the House.

The measure would narrow the state privacy rights of minor girls and expand the rights of their parents by allowing the legislature in the future to pass a law requiring that parents must be told in most cases when a minor girl decides to seek an abortion.

Lawmakers who want to pass such a law have to change the constitution first because last summer the state Supreme Court ruled that a 1999 parental notice law violated the state constitution's privacy provision.
